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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/074,238	02/14/2002	Janne Aaltonen	06071.00001	6235
22907	7590	03/09/2005	EXAMINER	
BANNER & WITCOFF				BILGRAMI, ASGHAR H
1001 G STREET N W				
SUITE 1100				
WASHINGTON, DC 20001				
				ART UNIT PAPER NUMBER
				2143

DATE MAILED: 03/09/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)
	10/074,238	AALTONEN ET AL.
	Examiner Asghar Bilgrami	Art Unit 2143

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 20 May 2002.
 2a) This action is FINAL. 2b) This action is non-final.
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-26 is/are pending in the application.
 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
 5) Claim(s) _____ is/are allowed.
 6) Claim(s) 1-26 is/are rejected.
 7) Claim(s) _____ is/are objected to.
 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
 10) The drawing(s) filed on 20 May 2002 is/are: a) accepted or b) objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>02/14/02</u> | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 112

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claims 24-26 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.
3. The use of word “substantially” in the above-mentioned claims makes it unclear about which element of the accompanying drawings the applicant is referring to. Also by stating “accompanying drawings” in the claim makes it unclear whether the applicant means all drawings combined, just a specific drawing or a specific portion of a certain drawing.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claims 1-26 are rejected under 35 U.S.C. 102(e) as being anticipated by Birdwell et al (U.S. 6,108,706).

6. As per claims 1, 9-11, 19, 22, 23 & 26 Birdwell disclosed a communication device for accessing information on a computer network, the device capable of communicating with a first communications network (col.3, lines 10-16), and receiving a signal from a second communications network (col.3, lines 23-31 & col.3, lines 40-43), the device comprising: a receiver for receiving, via the second network, unsolicited information from the computer network (col.4, lines 25-33), wherein the information contains an identifier identifying further information on the computer network; a transceiver for requesting, via the first network, further information from the computer network, wherein the further information is based on the received identifier (col.4, lines 66-67 & col.5, lines 1-46).

7. As per claims 2, 4 & 12 Birdwell disclosed the device of claim 9, 10 or 11, wherein the second communications network is a broadcast network, and wherein the receiver is adapted to receive the unsolicited information via the broadcast network (col.3, lines 23-31 & col.3, lines 40-43).

8. As per claims 3 & 13 Birdwell disclosed the device of claim 9, 10, 11 or 12, wherein the first communication network is a telecommunications network, and wherein the transceiver is adapted for use with the telecommunications network (col.3, lines 10-16).

9. As per claims 5 & 14 Birdwell disclosed the device of any of claims 9 to 13 wherein the unsolicited information contains a content identifier, and further comprising a memory for storing, on the device, a list of content identifiers of interest (col.4, lines 66-67 & col.5, lines 1-46).

10. As per claims 6 & 15 Birdwell disclosed the device of claim 14, further comprising a filter for filtering the received unsolicited information to remove any information not having a content identifier in the list of content identifiers (col.5, lines 26-46).

11. As per claims 7 & 16 Birdwell disclosed the method of any preceding claim, wherein the second communication network is digital video broadcast terrestrial (DVB-T) network, and wherein the steps of receiving via the second network are adapted for receiving via the DVB-T network (col.3, lines 23-31, col.3, lines 40-43 & col.4, lines 25-34).

12. As per claims 8 & 17 Birdwell disclosed the method of any preceding claims, wherein the first communication network is a cellular network; and wherein the step of receiving via the further information is adapted to receive via the cellular network (col.3, lines 10-16 & col.4, lines 5-9).

13. As per claim 18 Birdwell disclosed the device of any of claims 9 to 17, wherein the communication device is a portable communication device (col.4, lines 10-12).

14. As per claim 20 Birdwell disclosed the system of any of claims 9 to 19, further comprising a database of user profiles for storing a list of information categories determined to be of interest to the users (col.2, lines 21-28 & col.6, lines 20-32).

15. As per claim 21 Birdwell disclosed the system of claim 20, further comprising a broadcast transmitter for transmitting information from the computer network to users determined to be interested in the information (col.3, lines 23-31 & col.3, lines 40-43).

16. As per claim 24 Birdwell disclosed a method of accessing information on a computer network on a portable communication device substantially as hereinbefore described with reference to the accompanying drawings (col.4, lines 10-12).

17. As per claim 25 Birdwell disclosed a communication device for accessing information on a computer network substantially as hereinbefore described with reference to the accompanying drawings (col.3, lines 63-67, col.4, lines 1-2 & col.4, lines 10-12).

Conclusion

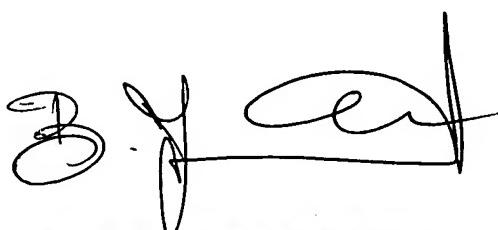
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Asghar Bilgrami whose telephone number is 571-272-3907. The examiner can normally be reached on M-F, 8:00-5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Wiley can be reached on 571-272-3923. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Asghar Bilgrami
Examiner
Art Unit 2143

AB



BUNJOB JAROENCHONWANIT
PRIMARY EXAMINER